

Indian Opinion

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TRAM REGULATIONS PASSED

THE Johannesburg Town Council considered the report of the Tramway Committee in regard to the new regulations on the 7th instant and, after some discussion, the regulations were adopted.

On the 4th instant, the following Memorial was addressed to the Tramways Committee of the Johannesburg Town Council:

The Memorial of the undersigned, representing the Cape Coloured Population of Johannesburg, and the Transvaal British Indian Association

WITNESSETH AS FOLLOWS:

1. The first eight undersigned have been appointed a deputation by the Johannesburg Cape coloured community, and the last six by the Transvaal British Indian Association, to place before you the objections of their constituents to the draft Tramway By-Laws now before the Town Council.

2. Your Memorialists desire to point out to you that they represent respectively two of the most responsible sections of the non-European element of the population of Johannesburg.

3. They also desire respectfully to remind you that the Johannesburg Municipality represents not only the European or white inhabitants of the town, but all the inhabitants of Johannesburg.

4. The non-white inhabitants are entirely disfranchised, and your Memorialists venture to urge that the representatives elected to the Council by their white fellow-citizens are in honour obliged to regard themselves as, in a special degree, trustees for those who have been denied the privilege of the Municipal franchise, notwithstanding that these are, directly or indirectly, ratepayers who have hitherto been denied any of the advantages of certain municipal enterprises, to whose support they contribute often proportionately above their means, as, for example, the municipal tramways.

5. Your Memorialists venture to remind you that, as long ago as 1906, their constituents successfully contested in the law-courts of the then Transvaal Colony the Municipality's right to differentiate against them upon racial grounds in the then Tramway By-Laws and, as a consequence, the Town Council of the day secured the assent of the Governor to the present regulations, at a time when large numbers of your Memorialists' constituents were engaged in a struggle against the whole principle of racial legislation and were accordingly unable to take effective steps to test the validity of the regulation then promulgated.

6. They felt, however, that clause No. 33 of these regulations was undoubtedly *ultra vires*, in that the powers conferred upon the Municipality, by virtue whereof the said regulations purported to be promulgated, did not include the right to make racial differences between the users of the ordinary municipal tramway service, and in this view they have been supported by the decision of the Transvaal Provincial

Division of the Supreme Court of South Africa. Your Memorialists have moreover been advised that had the Council proceeded with its appeal to the Appellate Division, the decision of the highest judicial tribunal in South Africa would have sustained the decision of the Transvaal Provincial Division.

7. It has now been judicially held that Clause 33 is *ultra vires*, and that your Memorialists' constituents have a complete legal right, on the same conditions as white passengers, to make the fullest use of the ordinary tramcar service.

8. The new draft clause 33 does not, in fact, amend the clause that *pro tanto* has been held to be *ultra vires*; it seeks, on the contrary, to validate the racial distinction and prohibition that the Council has unlawfully effected during the last eight years. In other words, it seeks to create a fresh racial disability.

9. Your Memorialists respectfully contend that the Council has no legal power to make racial distinctions of this character in Municipal By-laws and venture to protest emphatically against the draft regulations as at present framed.

10. Apart, however, from the legal powers that the Council may possess, your Memorialists venture respectfully to urge that to make such racial distinctions is unwise, ungenerous, and unjust—unwise because it but serves to exacerbate the susceptibilities of a sorely tried section of the citizens of Johannesburg, who are legitimately endeavouring, for their own self-respect, to maintain the principle of non-racialism in legislation and that of consultation in all matters vitally affecting their interests, having regard to the fact that they are disfranchised and otherwise voiceless; ungenerous, having regard to the restraint that they have imposed upon themselves at a time when they might have taken the fullest advantage of the rights that had been accorded them by the Court, and when the Council itself sought to withdraw its appeal to the Appellate Division upon conditions that were agreed to by your Memorialists' constituents principally with a view to demonstrate their desire to conciliate public opinion in their struggle for recognition; unjust, because it deliberately attempts to evade the consequences of the Supreme Court's decision, to re-impose racial penalties which have been removed after several years' unlawful enforcement, and to deprive the coloured citizens of this town of the privileges that they pay for at a rate frequently in excess of that paid by large numbers of white citizens.

11. Your Memorialists have noted that coloured persons have always been permitted to travel upon the tramcars provided that they accompanied their white employers or were in charge of the latter's children. In other words, the objection has not been to coloured persons as such, especially of the servant classes, but to coloured persons of independent means and presumably with a greater stake in the Municipality and a greater self-respect. Your Memorialists regard this

strange exception as a significant commentary upon popular racial prejudice and as tending to indicate a greater degree of tolerance on the part of the white travelling public than they are willing to credit themselves with.

12. But having due regard to the force of public opinion which, as hereinbefore mentioned their constituents are most anxious to conciliate, your Memorialists venture to urge most earnestly a middle course which, without offending the susceptibilities of anyone, gives to the Municipality all desired powers.

13. In Durban, where a large Indian population habitually uses the municipal tramcars, racial friction is avoided by empowering by regulation tram conductors to require any passenger to accept any seat that may be indicated to him. Refusal to do so involves a legal penalty. The regulation is of a general character, applicable alike to white and coloured passengers. It gives equal opportunities to use the ordinary tramcar services, and no real sense of injury is felt by any section of the population. In practice suitable seats on the top of each ordinary tramcar are used by coloured passengers, and as the practice is generally recognised, friction is avoided. Your Memorialists therefore suggest that the new draft clause 33 be withdrawn and replaced by a clause on the lines of the Durban regulation hereinbefore referred to, which, together with the powers (which may even be strengthened) already possessed to exclude from tramcars persons who are unclean or ill-behaved should give to the Municipality all necessary powers.

14. Your Memorialists' constituents vigorously protest against the proposal to set aside special tramcars for their use. An experiment of this kind has already been tried by the Municipality and has failed because, as a measure of self-respect, they declined to use them, and they have resolved again to refuse to use them should the experiment, which they regard as a racial insult, be tried again. The same objection, too, lies against the use of trailer cars. The coloured population of Johannesburg refuses to tolerate the suggestion that it is an outcast community unfit entirely for even accidental contact with their white fellow-citizens. And it will be seen from the Durban example, that it is not, in practice, and still less in theory, necessary to reserve by placard or by regulation special portions of cars.

15. Moreover, the coloured population claims to be entitled in law to the same facilities of travel on the tramcars as those enjoyed by the white population, and the setting apart of special cars and of trailer cars for their use, which is bound to be confined to certain routes and at irregular intervals, would deprive them of their present legal rights.

16. It was also suggested, in Durban, that, in order, on certain routes, to avoid congestion, second class cars might be run at reduced fares for the use of the poorer elements of the population without regard to race. In Johannesburg, such cars, if run, as an adjunct to the present cars, but not in substitution for them, would ordinarily be used by the poorer sections of both the coloured and white populations.

17. In conclusion, your Memorialists venture respectfully to urge that, at a time when racial divisions are in the melting pot, when all classes of citizens are united to do their duty for the common benefit, when warmer relations exist amongst all sections of the community, and when there is a growing desire to render even justice to all tax-payers, it is highly undesirable to thwart the increasing self-respect of the coloured population, to offend their very sensitive susceptibilities, to give them a new and a deeply-felt grievance, to rob them of the fruits of a long and hard struggle in which they have made many heavy sacrifices, to deprive them of confidence in the sense of justice of their European fellow-citizens, and to awaken them to a determination to secure redress by all legitimate means. If by mutual concession and co-operation the desired end can be secured your Memorialists are sure that

the Council will accept this means of a permanent settlement of this vexed problem rather than invite a long and bitter controversy.

. Dated at Johannesburg this 4th day of March, 1915.

Signed by W. FEARNEHEAD, REV. C. PHILLIPS, REV. J. ROGERS, M. J. KOOPMAN, C. P. MULDER, J. W. OUTONG, S. K. LEPEERE, A. M. CACHALIA, AMOD MOONAJEE, N. A. CAMA, S. B. MEDH, J. ROYEPPEEN, C. K. T. NAIDOO, and H. S. L. POLAK.

The signatories to the Memorial waited upon the Tramways Committee in the Committee Room at the New Town Hall on the 5th instant. Mr. Fearnhead, who was the Solicitor in the Tramways test case, introduced the subject-matter that the deputation had come to discuss, and was followed by Mr. Polak, the Rev. Chas. Phillips, and Messrs. C. K. T. Naidoo, J. Royappen, and Lepere. The Chairman notified the deputation that the matter would be considered at the next meeting of the Tramways Committee.

The following letter has been received on behalf of the members of the Deputation, by Mr. Polak, from the Town Clerk, dated the 11th March:—

With reference to your letter of the 4th instant and the accompanying Memorial, on the above subject, I have the honour to inform you that the Tramway and Lighting Committee, after careful consideration of the representations made by the Deputation which attended the Committee on the 5th instant, decided to allow the amendments to the Tramways Bye-laws to go forward to the Council in the form in which they were advertised. The Council has adopted the amendments as passed by the Committee. I am, however, forwarding to the Administrator, along with the proposed amendments to the Bye-laws, a copy of the Memorial which accompanied your letter under reply.

The following letter has been addressed to the Johannesburg press:—

At Tuesday's meeting of the Johannesburg Town Council a momentous decision was reached, namely, to recommend to the Administrator certain new Tramway Regulations dealing with non-white passengers. We are unable to discover whether, before the Council came to that decision, it had been officially informed by the Chairman of the Tramway Committee that he had received a Memorial on behalf of the Cape Coloured people of Johannesburg, and the Transvaal British Indian Association strongly protesting against these draft regulations and that a deputation consisting of ourselves and others on behalf of these sections of the citizens of Johannesburg had waited upon the Committee and had made an earnest appeal for fairplay for them on the part of the Town Council. Apparently our efforts have failed and the pleas of the non-European population of Johannesburg have been ignored; but we now appeal from the Committee and the Council to the general public and request you kindly to publish the text of our Memorial for general information. A number of matters emerge from a consideration of that document among which are the following:—

- (1) The Council has never had legal power to exclude non-Europeans from the full use of the ordinary tram-cars;
- (2) The Council is now endeavouring to create a racial bar as to the use of these cars which bar has never hitherto been lawful;
- (3) Since last August when the Supreme Court's decision was given in their favour the non-European sections of the community, with a view to arriving at a settlement satisfactory to all parties, have, of their own accord, refrained from exercising their legal rights with reference to the use of tram-cars.
- (4) The non-European sections of the community will fight every inch of the way to prevent effect

being given to this dishonest attempt to rob them of a right that the Courts have declared them to possess.

(r) A method of satisfying racial prejudice has been indicated that has been found to work reasonably well elsewhere and that ought, in common decency, to have been given a fair trial here. It cannot justly be said that those whom we have been appointed to represent have not been conciliatory to a degree, even in the face of great provocation from the Council, which has throughout acted in a mean and contemptible spirit towards non-whites in the Municipality. We are bound to say, with regret, that the Council has missed a great opportunity to redeem its mistakes of the past, and has recklessly invited trouble for the future that can only render the relations of the various sections of the community less harmonious by far than it is necessary for them to be.—We are etc.,

CHAS. PHILLIPS, J. ROGERS, CHAS. P. MULDER, N. A. CAMA, S. B. MEDH, A. M. CACHALIA, C. K. T. NAIDOO, J. ROVEPPEN, H. S. L. POLAK.

At a meeting of the Committee of the British Indian Association at which the Rev. Chas. Phillips, the Rev. J. Rogers, Messrs. Mulder and Maal were invited to be present, it was decided to enquire by telegram from the Administrator whether he would receive a joint deputation to protest against the By-Laws as amended. A reply has now been received stating that the proposed amendments to the Johannesburg Tramways By-Laws are to be submitted to the law advisers for their opinion and that on receipt of their reply the Administrator will be pleased to receive a deputation on a date to be arranged later.

From the Editor's Chair

IN MEMORIAM

We learn with deep regret of the death of Dr. Aghore-nath Chattopadhyaya. The deceased was the father of the distinguished Indian poetess, Mrs. Sarojini Naidu to whom, and to the other members of the family, we desire respectfully to tender our deep sympathy. Mrs. Naidu's father was a distinguished scholar of the Edinburgh University and won reputation for his chemical researches. He was a man of great originality of mind and of imposing appearance. He spent a great part of his life in the services of the Nazim Hydrabad. Mrs. Naidu was deeply attached to her father, and we are sure that the sympathy of all India will be extended to her in her sorrow.

JOHANNESBURG TRAMS

We publish in this issue an important memorial addressed to the Tramways Committee of the Johannesburg Town Council on the subject of the use by the various non-white sections of the community of the Municipal Tramways system. No complaint, we think, can be urged that the document does not display the utmost reasonableness and moderation. An attempt has been made to suggest the *via media* without the imposition of a racial bar and at the same time affording to the Cape coloured people and the Indian community reasonable facilities of travel. We are glad that the deputation laid stress upon the fact that during all these years the Municipality has unlawfully denied the non-white population the right of travel on the Municipal tram-cars. This has been a monstrous injustice, and if the present regulations be sanctioned an intolerable insult will be placed upon those who have already been victimised. Injury there has been in abundance, but this will be adding insult to injury.

IS IT A CHALLENGE?

We do not think that a more reasonable document could have been addressed to the Town Council than the Memorial signed by the members of the deputation that waited upon the Tramways Committee on the 5th instant. It is no secret that it gave rise to very little argument on the part of the members of the Committee that received the Deputation. There was no serious attempt to show the inadequacy of the Memorialists' proposals. To the general astonishment, however, on Wednesday morning the non-white sections of the Johannesburg population awoke to the fact that the representations that had been made on their behalf had apparently been utterly ignored, and that the Town Council did not intend to give even a trial to the suggestions made. The Town Council has, in fact, thrown down a challenge to all non-Europeans resident within the Municipality, and we are glad to note that that challenge has been swiftly taken up by those concerned. A public protest is being lodged against the Council's attitude and its reckless disregard for decency and fairplay, and the Administrator, who has been approached, has agreed to receive a deputation to protest against the regulations as passed. We are not over-sanguine as to the result of any of these steps that are to be taken, for in all probability it will be found that the matter will have to be tested in the Supreme Court. It was realised all along that even though the first tram test-case might be won, it would be won on a relatively unimportant issue, and that the real question as to whether or not Provincial Councils have the right to enact racial legislation would still have to be tested in the Courts. For ourselves we pin our faith to section 147 of the South Africa Act, which lays it down that matters specially or differentially affecting Asiatics shall be reserved for the Governor-General in Council, that is to say, the Parliament of the Union. If our contention be correct, obviously the Provincial Councils are debarred from legislating on such matters. If our contention be wrong, then the South Africa Act contains no safeguard whatever of the interests of the Indian community, and the efforts of the Imperial Government to secure the introduction of such safeguards will have been defeated by a technical interpretation of the law. We sincerely trust that it will be unnecessary to go to the Courts, but it is as well to anticipate this necessity, and in that event funds will be urgently required for the carrying on of the legal fight to a complete issue. One thing is clear, that after all the self-restraint that they have exercised, the non-European sections of the community do not intend to tolerate racial injustice from a petty Municipal body if by effective protest they can prevent it.

The Late Mr. Gokhale

The Secretary of the Servants of India Society cables from Bombay expressing deep gratitude for the sympathy that has been extended to the Society on the occasion of the lamented death of the Honourable Mr. Gokhale, and requesting the Transvaal British Indian Association to convey the sincere thanks of the Society to General Smuts. This has been done.

Indian Catholics' Sympathy

The following resolution was passed at the monthly business meeting of the Catholic Indian Young Men's Society:—

"That this meeting of the Catholic Indian Young Men's Society as representing the Catholic Indians of Durban, hereby places on record their sincere and deep sorrow at the untimely death in the prime of life, of the late Honourable Gopal Krishna Gokhale, C.I.E., shares the deep grief that is so universally felt at the irreparable loss sustained by our Motherland in the removal by the hand of death, of such an eminent Statesman and noble Patriot, humbly implores Al-

mighty God to grant his soul eternal peace and tenders to Miss Gokhale and other members of the deceased statesman's family their warm condolence in their sad bereavement."

Port Elizabeth Indians

Under the auspices of the Mauritian and Colonial Born Hindu Benefit Society, supported by the Siva Grana Pregasa Subha, including their Uitenhage representatives, etc., a special meeting was held Port Elizabeth in the Walmer Road Hall, Mr. M. Mardamootoo Pillay presided, supported by Messrs. V. P. Vandayar, P. A. Moodaly, Ramasamy Rayamandar, and V. D. Pillay.

After the usual prayer in silence, the Chairman made feeling reference to the lamented death of the distinguished Indian leader, Hon. Gopal Krishna Gokhale, who passed away at Poona City, India. The news had created a severe shock to South African Indians in general, because of the loss of one of the most ardent sympathisers towards the national cause during the passive resistance struggle, and the various grievances. His cause was a true brotherhood amongst east and west, and he had lived and died the brother of every man and woman of his race. His fellowship embraced all classes and creeds. His professional career was devoted towards education and he was particularly enthusiastic in furthering the scheme for compulsory education. His work was admired by statesmen in Europe and elsewhere.

They all recognised and appreciated his services to South African Indians in helping to arrive at a settlement in many questions, and especially in relieving them of the Natal Poll Tax and bringing about the stoppage of importing indentured Indians. His visit had doubled the feelings of Indians towards the welfare of their country.

A resolution of condolence was passed and was telegraphed to the Transvaal Indian Association for transmission to the relatives of the deceased.

At Kimberley

A mass meeting of the British Indians of Kimberley and Beaconsfield was held at Mr. Padayachy's residence.

A large number of Indians of all sections assembled to pay their respects to one who has always proved himself to be their friend. Among those present were Messrs. P. M. Dawson, K. Padayachy, Mohamed Sheriff, K. V. Rajoo, Mohamed Said, R. S. Padayachy, Dowrey, Saiyd Camooredin, Kajee Ab'urrahman, Gunpeth Haree, Uanoo Naidoo, T. Canda Pillay, U. U. Naidoo, P. L. Chetty, Krishna Moodaly, Kaliya Moodaley, Velayuda Moodaley, T. Narayanasamy Padayachy, Uasudeva Padayachy and many others.

Mr. P. M. Dawson, who presided, said in his introductory speech: Gentlemen, it is with deep sorrow that we learn that we have sustained a great irreparable loss in the death of our beloved leader and statesman, Mr. Gokhale. We are told that he passed away on Saturday last. You will remember that when he visited Kimberley during his South African tour he was ill. His indomitable energy and activity have undoubtedly sealed his fate, and deprived us of our zealous champion. We have met here to-day to mourn this loss, to express our sincere sorrow, and to offer our sympathy and condolence to his nearest and dearest relatives. Time will not permit to go fully into his life work at this juncture. However, Mr. K. V. Rajoo will give a brief sketch of his career, and Mr. Mohamed Sheriff also will speak in Hindustani.

Accordingly Mr. K. V. Rajoo gave a brief outline of the outstanding features in the illustrious statesman's career, which were further lauded by Mr. Sheriff, and the following resolutions were submitted and unanimously passed:—

Resolution No. 1.—"This mass meeting of the British Indians of Kimberley and Beaconsfield learns

with profound sorrow and grief the great and irreparable loss India has sustained in the widely lamented death of the Hon. Mr. Gopal Krishna Gokhale, who passed away yesterday"; proposed by Mr. Mahomed Sheriff, seconded by Mr. T. Narayansamy Padayachy, supported by Mr. K. Padayachy.

Resolution II.—"This meeting respectfully tenders its sincere sympathy and sorrowful condolence to Mr. Gokhale's relatives in their bereavement, and resolves as a token of its esteem and regard for our distinguished countrymen to observe Monday as a day of mourning"; proposed by Mr. K. V. Rajoo, seconded by Mr. Saiyd Camooredin, supported by Mr. Gunpeth Harree.

Resolution III.—"That copies of resolutions Nos. 1 and 2 be cabled to Mr. Gokhale's relatives at Poona"; proposed by Mr. R. V. Padayachy, seconded by Mr. U. U. Naidoo, supported by Mr. T. Canda Pillay; and the meeting terminated with a vote of thanks.

The following cable has been despatched to the Servants of India Society at Poona: "Kimberley Indians have received with profound sorrow the lamentable tidings of the irreparable loss India has sustained in the death of our beloved Mr. Gokhale, India's ablest son and champion, and desire to express to his relatives their sincere and heartfelt condolence in their sad bereavement."

Meeting at Tongaat

Tongaat wore a very dull and sad aspect (says the *Natal Mercury*) with all the Indian stores closed, out of respect to the late Hon. Mr. Gokhale. In the afternoon a mass meeting of over 500 Indians, drawn from all classes, and which included many women, was held, under the chairmanship of Mr. Valjee Veljee, who was supported by the prominent local Indians. The meeting opened with a mourning procession, headed by the children of the Tamil School, in costume, who chanted a solemn prayer. Among the various speakers were Mr. Devechand who spoke in Hindi; Mr. M. G. Naidoo in Tamil; Mr. Desai, in Gujarati; and Mr. R. E. Naidoo, in Telegu, who dwelt very feelingly on the life and good works of the deceased. The following resolutions were then passed:—"That this meeting of Tongaat Indians deeply mourns the untimely death of their countryman and friend, the Hon. Gopal Krishna Gokhale, whose unselfish services in the cause of India, both at home and abroad, where her children are, will live in their memory."

The following cable was sent to the relatives: "Tongaat Indians deeply mourn the untimely death of India's true son, Hon. Gopal Krishna Gokhale. Convey sympathy family bereaved.—Valjee, chairman."

The meeting closed with a hymn chanted by Mr. K. Ramsamy Naicker in Tamil. The people then marched in procession to the T. Hindu Samarasa Bothai Subha, where a small ceremony was performed. At the termination of the meeting various suggestions were put forward, with a view to perpetuating Mr. Gokhale's memory, and the matter will come up for consideration at a later period.

Other Tributes

A largely attended meeting of Indians, principally those in the employment of the St. Lucia Sugar Company, Ltd., Umlolozzi River, was held. The meeting was presided over by Mr. V. N. Pillay, who, along with Mr. V. M. Rojod, gave an interesting sketch of the late Mr. Gokhale's work, at the conclusion of which the following resolution was passed:—

"This meeting of Indians here assembled learns with the deepest sorrow of the death of the Hon. G. K. Gokhale, and feels that by his demise South African Indians have lost one of their ablest advocates and friends of their cause, and wishes to tender its heartfelt sympathy with the relatives and friends of the deceased gentleman."

At the weekly meeting of the Sutha Sanmarka Pothaka Sathegmana Sabbha Durban, Tamil School, the following resolution was unanimously passed:—

"That this meeting learns with deep sorrow of the death of the Hon. Mr. Gokhale, and feels that by his death the South African Indians have lost one of the ablest men of their cause, and this meeting tenders its heartfelt sympathy with the family of the deceased gentleman."

The Natal Shri Anavil Samaj forwarded the following cable to India: "We sorrow death India's political Sanyashi Gokhale. Though he lives."

The following cable was sent by Midland (Cape) Indians to the Viceroy: "Midland Indians deeply mourn loss sustained by India and Empire through death Hon. Gokhale. Kindly convey deep sympathy bereaved family."

At the ordinary meeting of the Arya Yuvak Sabha a reference was made to the death of the Hon. G. K. Gokhale, and the following resolution was unanimously passed: "The members of the Arya Yuvak Sabha wishes to convey profoundest regrets and deepest expressions of sorrow at the news of the death of the Hon. Gopal Krishna Gokhale, remembrance of whose labours on behalf of the Indian community is cherished in India and South Africa."

The following cablegram was sent to the Servants of India Society, Poona, from Beira:—"The British Indian and Indo-Portuguese community of Beira deeply regret the untimely death of Hon. Gopal Krishna Gokhale. We tender our deepest note of condolence for the loss his family and whole India have sustained.—Damodar Anandjee."

The Cape British Indian Union held a meeting when three resolutions were passed, the first extending to the relatives their deep and heartfelt sympathy, and the second, addressed to the Viceregal Council of India, expressed great regret at the death of Mr. Gokhale, and the third, addressed to the National Congress of India; expressed a deep sense of the loss sustained by his early death.

London, March 6.—Reuter's Bombay correspondent telegraphs that universal expressions of regret at the death of Mr. Gokhale culminated in a public meeting held in the Town Hall.

The Governor, at the request of 15,000 citizens, presided. A resolution proposed by the Aga Khan was passed, placing on record the intense loss India has sustained in the death of Mr. Gokhale. It was also decided to erect a suitable memorial to the late statesman.—Reuter.

Tribute from London

London, March 8.—At a representative meeting, held in London, a resolution was passed recording deep and sincere sorrow at the irreparable loss in the untimely death of the Hon. Mr. Gokhale, who consecrated his life to the service of his country.

The speakers emphasised the practical nature of the late Mr. Gokhale's work and his policy, which was essentially constructive.—Reuter.

On the 6th instant an inaugural meeting of the Durban Lodge of the International Karma and Reincarnation Legion (South African Section) was held in Acutt's Arcade (upstairs over the Tea room.) The membership consists of Europeans, Indians, Chinese and Japanese, forming a brotherhood of all nations and faiths united in the single purpose of popularising the teachings of Reincarnation. A Debate upon Reincarnation is fixed for the 19th instant at 8 p.m. A cordial invitation is extended to everyone. Ladies specially invited.

Tribute to Mrs. Gandhi

The following letter from Mrs. Sarojini Naidu was addressed to Lady Mehta who presided over the Bombay ladies' reception:—

Dear Lady Mehta,

I venture to write to you as I see by the papers that you are the presiding genius of the forthcoming function to welcome my friend Mrs. Gandhi home again. I feel that though it may be the special privilege of the ladies of Bombay to accord her this personal ovation, all Indian women must desire to associate themselves with you in spirit to do honour to one who by her rare qualities of courage, devotion, and self-sacrifice has signally justified and fulfilled the high traditions of Indian Womanhood.

I believe I am one of the few people now back in India, who had the good fortune to share the intimate home-life of Mr. and Mrs. Gandhi in England, and I cherish two or three memories of this brief period in connection with the kindly and gentle lady, whose name has become a household word in our midst, with her broken health and her invincible fortitude—the fragile body of a child and the indomitable spirit of a martyr.

I recall my first meeting with them, the day after their arrival in England. It was on a rainy August afternoon last year that I climbed the staircase of an ordinary London dwelling house to find myself confronted with a true Hindu idyll of radiant and ascetic simplicity. The great South African leader who, to quote Mr. Gokhale's apt phrase, had moulded heroes out of clay, was reclining, a little ill and weary, on the floor eating his frugal meal of nuts and fruit (which I shared) and his wife was busy and content as though she were a mere modest housewife absorbed in a hundred details of household service, and not the world-famed heroine of a hundred noble sufferings in a nation's cause.

I recall too the brilliant and thrilling occasion when men and women of all nationalities from East and West were gathered together to greet them in convincing proof that true greatness speaks with a universal tongue and compels a universal homage. She sat by her husband's side, simple and serene and dignified in the hour of triumph as she had proved herself simple and serene and dauntless in the hour of trial and tragedy.

I have a vision too of her brave, frail, pain-worn hands that had held aloft the lamp of her country's honour undimmed in one alien land, working at rough garments for wounded soldiers in another—Red Cross work.

But, there is one memory that to me is most precious and poignant, which I record as my personal tribute to her, and which serves not only to confirm but to complete and crown all the beautiful and lofty virtues that have made her an ideal comrade and help-mate to her husband. On her arrival in England in the early days of the war, one felt that Mrs. Gandhi was like a bird with eager out-stretched wings longing to annihilate the time and distance that lay between her and her far-off India, and impatient of the brief and necessary interruption in her homeward flight. The woman's heart within her was full of yearning for the accustomed sounds and scenes of her own land, and the mother's heart within her full of passionate hunger for the beloved faces of her children. And yet, when her husband soon after felt the call, strong and urgent, to offer his services to the Empire and to form the Ambulance Corps that has since done such splendid work; she reached the high watermark of her loyal devotion to him, for, she accepted his decision and strengthened his purpose with a prompt and willing renunciation of all her most dear and pressing desires. This to me is the real meaning of Sati. And it is this ready capacity for self-abnegation that the true standard of a country's greatness lies not so much in its intellectual achievement and

material prosperity as in the undying spiritual ideals of love and service and sacrifice that inspire and sustain the mothers of the race.

I pray that the men of India may learn to realize in an increasing measure that it is through the worthiness of their lives and the nobility of their character alone that we women can hope to find the opportunity and inspiration to adequately fulfil the finest possibilities of our womanhood even as Mrs. Gandhi has fulfilled hers.

Indentured Emigration to the Colonies

In spite of official statements made from time to time that the system of indentured labour which is in force in India cannot be abolished, though steps may be taken to mitigate the hardships which it may entail, we believe (says the *Hindu*, Madras) that it is possible to induce the Government to realise the essentially unmoral nature of the practice which is, after all, a modified form of slavery. It is a system which involves loss of freedom, human degradation and degeneration of women, utterly out of place in an Empire which is under the sway of a nation that has just put forth noble efforts to secure personal liberty to the individual. It has, therefore, seemed strange to Indians that such a practice should be officially countenanced by the Government in India, even after its inherent evils have been brought to notice time after time. The public, however, cannot in the interests of humanity allow the matter to drop, and must persistently refuse to be satisfied with half remedies.

Looked at from this point of view, it is difficult to say whether the able report presented by Mr. J. McNeil and Mr. Chimman Lal on the condition of indentured Indian labour in British Colonies can be considered altogether satisfactory. It must be stated that these officers were asked to report, not on the desirability or otherwise of ending the system altogether, but upon the conditions of life of the Indian immigrants in the Colonies, and submit recommendations as to any arrangements which may be considered desirable to promote their welfare. Within the limit fixed for their enquiry, the officers have, to judge from the report which they have made of their work, done their business ably and conscientiously; but what will chiefly interest the general public is the wealth of material that is available for the case for the abolition of indentured labour. The deputation left England on the New Year's Day of last year, and spent altogether eleven months in visiting various estates and places in the four British Colonies of Trinidad, British Guiana or Demerara, Jamaica and Fiji and in the Dutch Colony of Surinam. In each of the places visited, enquiries were made into the sanitary, medical and labour arrangements made for the labourers, the wages paid, the penalties and restrictions imposed, the facilities afforded for religious observances by the employers, the sufficiency of the control vested in the Protector of emigrants and the position of free Indians.

It is difficult to say whether the Commissioners had the moral aspects of the system in view when they took up the task of making general observations on it, as they found it working in the various Colonies which they visited. But their detailed report contains sufficient condemnation to prove the essential unwholesomeness of indentured emigration. One of the outstanding blots of the system is the way in which women recruits are obtained, and it is an admitted fact that the majority of women in the Colonies are not married to the men with whom they live on the estates, and the fact is taken as undisputed that the morality of an estate population compares very unfavourably with that of an Indian village. The Commissioners say, however, that the advantages of the system far outweigh its disadvantages, and proceed to mention some of the

circumstances from which they infer that such emigrants live under very much better conditions than their relatives in India. Their views are summarised in the following concluding sentences:—

They are as a body more conscious of the far-reaching legal protection which they enjoy than of the legal liabilities to which they are exposed. Our proposals involve the recognition of further rights and the reduction of liabilities, and we venture to claim that their adoption will justify the system being fairly described as one of protected immigration, in which the protection ceases when no longer required. We do not regard the system as solely or mainly concerned with securing fair wages and fair treatment for Indian labourers who are content to emigrate for a few years, save a few hundred rupees and return to their homes. Following the example of the great majority of the emigrants themselves and their descendants we regard it rather as a system of colonisation under which poor but industrious Indians, whether landless labourers or the sons of poor cultivating landowners, who are content to be trained and acclimatised under private employers in need of a steady supply of labour, are offered prospects much more favourable than they could hope to realise at home. . . . We are conscious that the acceptance of our proposals will increase the cost of indentured Indian labourers to their employers and may in consequence lessen the demand, but it may also have the effect of raising the standard of capacity expected from employees.

The general remedies suggested propose that unsuitable emigrants shall be excluded, that the agreements shall state clearly how misconduct will be punished, and that the proportion of female to male emigrants shall be increased from 40 to 50 per cent., the present minimum age-limit being abolished. It is recommended further that the vigorous restrictive provisions in the ordinance shall be expunged, and that punishments shall be reduced. Proposals are also advanced that labourers shall be entitled at any time to commute their indenture by payment of a graduated redemption fee, and that facilities shall be promised for the registration of marriages and for meeting the special need of Indian children in the matter of primary education.

A European produce merchant, named Phillip Frank, was convicted in the First Criminal Court, Durban, on Monday last on the charge of assaulting T. G. Desai in the Borough Market. The case is of considerable interest and will be fully reported in our next issue.

Another case of public interest which came before the same Court on the 11th instant was the case of an Indian charged with being drunk on the Durban station platform. His defence was that he was refused a seat in the train and remonstrated. We shall give a report of this case also.

One of Mr. C. Henwood's Indian employees appeared in the First Criminal Court on the 15th instant charged with refusing to return to his employer when ordered to do so by the Protector. The man stated that he was quite prepared to return if the Magistrate would guarantee that his wages would be paid. He had failed to get his wages and so refused to return to work. The Magistrate (Mr. B. Hodson) requested the interpreter to write to Mr. Henwood, stating the reason why the man refused to return. A sentence of seven days' hard labour was imposed.

Punsamy, an Indian employed at the Point, was charged with being drunk which he admitted. Mr. Mallinson, who prosecuted, rose and said: "As the policeman who arrested the accused has not deemed fit to come to Court, I withdraw the charge." Discharged!